In the Claims

Applicant has submitted a new complete claim set showing marked up claims with insertions indicated by underlining and deletions indicated by strikeouts and/or double bracketing. This listing of claims will replace all versions and listings of claims in the application.

1. (Original) A method of treating a subject having an HCV infection that was not successfully treated using a previous non-CpG therapy comprising

administering to a subject in need of such treatment a CpG immunostimulatory nucleic acid in an amount effective to treat the infection.

2. (Original) The method of claim 1, wherein the non-CpG therapy includes interferon-alpha.

3. (Original) The method of claim 2, wherein the interferon-alpha is interferon-alpha-2b, interferon-alpha-2a or consensus interferon-alpha.

4. (Original) The method of claim 2, wherein the non-CpG therapy includes interferon-alpha and Ribavirin.

5. (Original) The method of claim 2, wherein the non-CpG therapy includes pegylated interferon-alpha and Ribavirin.

6. (Original) The method of claim 1, wherein the CpG immunostimulatory nucleic acid is an A class CpG immunostimulatory nucleic acid.

7. (Original) The method of claim 1, wherein the CpG immunostimulatory nucleic acid is a B class CpG immunostimulatory nucleic acid

8. (Original) The method of claim 1, wherein the CpG immunostimulatory nucleic acid is a C class CpG immunostimulatory nucleic acid.

9. (Original) The method of claim 1, further comprising the step of administering interferon-alpha to the subject.

10. (Original) The method of claim 9, wherein the interferon-alpha is interferon-alpha-2b, interferon-alpha-2a or consensus interferon alpha.

11. (Original) The method of claim 9, wherein the interferon-alpha is administered substantially simultaneously with the CpG immunostimulatory nucleic acid.

12. (Original) The method of claim 1, wherein the CpG immunostimulatory nucleic acid comprises a backbone modification.

13. (Original) The method of claim 12, wherein the backbone modification is a phosphorothioate backbone modification.

14. (Original) The method of claim 1, wherein the CpG immunostimulatory nucleic acid comprises a semi-soft backbone.

15. (Original) A method of treating a subject having an HCV infection and likely to be non-responsive to a non-CpG therapy comprising

administering to a subject in need of such treatment a CpG immunostimulatory nucleic acid in an amount effective to treat the infection.

16. (Original) The method of claim 15, further comprising identifying a subject likely to be non-responsive to a non-CpG therapy.

17. (Original) The method of claim 16, wherein the subject is identified as likely to be non-responsive based on an assay of interferon-alpha produced per dendritic cell.

18-63. (Cancelled)

64. (Original) A method of treating a subject having an HCV infection that was not successfully treated using a previous non-CpG therapy comprising

administering to a subject in need of such treatment a C class CpG immunostimulatory nucleic acid having a semi-soft backbone in an amount effective to treat the infection.

65. (Original) A method of treating a subject having an HCV infection and likely to be non-responsive to a non-CpG therapy comprising

administering to a subject in need of such treatment a C class CpG immunostimulatory nucleic acid having a semi-soft backbone in an amount effective to treat the infection.

66. (Cancelled)

67. (Original) A method of treating a subject having an HCV infection that was not successfully treated using a previous non-CpG therapy comprising

contacting peripheral blood mononuclear cells from a subject in need of such treatment, with a CpG immunostimulatory nucleic acid in an amount effective to stimulate an immune response, and

re-infusing the cells into the subject.

68-71. (Cancelled)